

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

Date of mailing (day/month/year) 21 May 2001 (21.05.01)	
International application No. PCT/GB00/03333	Applicant's or agent's file reference EAL-P/5983.GBP
International filing date (day/month/year) 31 August 2000 (31.08.00)	Priority date (day/month/year) 03 September 1999 (03.09.99)
Applicant HORSFALL, Paul, Andrew	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 02 April 2001 (02.04.01)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Olivia TEFY Telephone No.: (41-22) 338.83.38
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## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>EAL-P/5983.GBP</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/GB 00/ 03333</b>	International filing date (day/month/year) <b>31/08/2000</b>	(Earliest) Priority Date (day/month/year) <b>03/09/1999</b>
Applicant <b>WEIGHWELL ENGINEERING LTD. et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.  
☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**PORTABLE LOAD INDICATING DEVICE FOR A RAIL VEHICLE**

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1  
☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB 00/ 03333

## Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

The apparatus comprises two somewhat convex shoes (10) clampable along the adjacent sides of a pair of rails (16) for engagement by the peripheries of wheel flanges so that the wheels are raised just clear of the rails, a load-sensing device (46) at the highest portion of each shoe, and load-indicating means connected to the devices. The apparatus is sectional, the shoes being urged apart into rigidly clamped positions by two struts (22) separable from the shoes to facilitate portability. Two spaced-apart support members (36) are secured to each shoe to embrace its outer and lower faces, each support member being vertically adjustable relative to the shoe to suit different heights of rails. The shoes have replaceable wear-strips (70).

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/GB 00/03333

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 12  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 12

Claim 12 is unacceptable according to PCT Rule 6.2 (a) and PCT article 6

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 G01G19/04

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 G01G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)  
EPO-Internal, WPI Data**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2 315 559 A (WEIGHWELL ENG LTD) 4 February 1998 (1998-02-04) cited in the application the whole document ----	1-11
A	US 3 714 997 A (AHL N ET AL) 6 February 1973 (1973-02-06) abstract; figure 1A ----	1
A	GB 358 305 A (H.BROSCOMBE ET AL.) 20 July 1931 (1931-07-20) page 3, line 62 - line 80; figure 1 ----	1
A	GB 1 463 958 A (TOKYO SHIBAURA ELECTRIC CO) 9 February 1977 (1977-02-09) page 1, line 36 - line 49; figures 4,5 ----- -/--	1

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

30 November 2000

Date of mailing of the international search report

18. 12. 2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Ganci, P

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/GB 00/03333

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	"INTELLIGENT IN-MOTION WEIGHING OF RAIL CARS" STEEL TIMES - INCORPORATING IRON & STEEL, GB, FUEL & METALLURGICAL JOURNALS LTD. LONDON, vol. 218, no. 10, 1 October 1990 (1990-10-01), page 568 XP000169044 ISSN: 0039-095X the whole document -----	1

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/03333

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 2315559 A	04-02-1998	NONE	
US 3714997 A	06-02-1973	SE 357439 B AU 451331 B AU 3327871 A CA 920621 A CH 534344 A DE 2147098 A FI 56280 B FR 2107836 A GB 1368115 A IT 939833 B JP 52013102 B NL 7112932 A NO 130374 B	25-06-1973 01-08-1974 15-03-1973 06-02-1973 28-02-1973 23-03-1972 31-08-1979 12-05-1972 25-09-1974 10-02-1973 12-04-1977 23-03-1972 19-08-1974
GB 358305 A		NONE	
GB 1463958 A	09-02-1977	NONE	



# INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/03333

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 G01G19/04

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 G01G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2 315 559 A (WEIGHWELL ENG LTD) 4 February 1998 (1998-02-04) cited in the application the whole document	1-11
A	US 3 714 997 A (AHL N ET AL) 6 February 1973 (1973-02-06) abstract; figure 1A	1
A	GB 358 305 A (H.BROSCOMBE ET AL.) 20 July 1931 (1931-07-20) page 3, line 62 - line 80; figure 1	1
A	GB 1 463 958 A (TOKYO SHIBAURA ELECTRIC CO) 9 February 1977 (1977-02-09) page 1, line 36 - line 49; figures 4,5	1
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

30 November 2000

Date of mailing of the international search report

18.12.2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 851 epo nl,  
Fax: (+31-70) 340-3018

Authorized officer

Ganci, P

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/GB 00/03333

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 12  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 12

Claim 12 is unacceptable according to PCT Rule 6.2 (a) and PCT article 6

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/GB 00/03333

**C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>"INTELLIGENT IN-MOTION WEIGHING OF RAIL CARS"  STEEL TIMES - INCORPORATING IRON &amp;  STEEL,GB,FUEL &amp; METALLURGICAL JOURNALS  LTD. LONDON,  vol. 218, no. 10,  1 October 1990 (1990-10-01), page 568  XP000169044  ISSN: 0039-095X  the whole document</p>	1

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/03333

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 2315559 A	04-02-1998	NONE	
US 3714997 A	06-02-1973	SE 357439 B AU 451331 B AU 3327871 A CA 920621 A CH 534344 A DE 2147098 A FI 56280 B FR 2107836 A GB 1368115 A IT 939833 B JP 52013102 B NL 7112932 A NO 130374 B	25-06-1973 01-08-1974 15-03-1973 06-02-1973 28-02-1973 23-03-1972 31-08-1979 12-05-1972 25-09-1974 10-02-1973 12-04-1977 23-03-1972 19-08-1974
GB 358305 A		NONE	
GB 1463958 A	09-02-1977	NONE	

# PATENT COOPERATION TREATY

# PCT

REC'D 31 OCT 2001

WIPO PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>EAL-P/59831WOP</b>		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) <b>FOR FURTHER ACTION</b>
International application No. <b>PCT/GB00/03333</b>	International filing date (day/month/year) <b>31/08/2000</b>	Priority date (day/month/year) <b>03/09/1999</b>
International Patent Classification (IPC) or national classification and IPC <b>G01G19/04</b>		
Applicant <b>WEIGHWELL ENGINEERING LTD. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  <b>02/04/2001</b>	Date of completion of this report  <b>29.10.2001</b>
Name and mailing address of the international preliminary examining authority:   <b>European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 eprmu d Fax: +49 89 2399 - 4465</b>	Authorized officer  <b>Stobbelaar, M</b>  Telephone No. <b>+49 89 2399 2827</b>



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/03333

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*):

**Description, pages:**

1,3-9 as originally filed

2 as received on 06/10/2001 with letter of 04/10/2001

**Claims, No.:**

1-12 as received on 06/10/2001 with letter of 04/10/2001

**Drawings, sheets:**

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/03333

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
- ☒ claims Nos. 12.

because:

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):  
**see separate sheet**
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/03333

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1. Statement

Novelty (N)	Yes:	Claims	1-11
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-11 -
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-11
	No:	Claims	-

2. Citations and explanations  
**see separate sheet**

**Re Item III**

**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. Claim 12 is only defined by a reference to the description and the drawings. According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here.

**Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The invention relates to an apparatus for indicating the load imposed by an axle or wheel of a rail vehicle. Main characteristic of the apparatus according to claim 1 is that the shoes are clamped by means of two separable stuts each of which extends between the shoes.  
Compared with the prior art such a construction enhances the rigidity of the apparatus whilst maintaining its portability. In closest prior art document GB-A-2 315 559 (cited on p.1 of the application) central screw jack means are used for clamping the shoes, whereby the shoes are welded (i.e. not mounted separable) to connecting tubes.  
Therefore the subject-matter of claim 1 meets the requirements of articles 33 (2) and 33 (3) PCT.
2. Claims 2-11 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.